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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2008 OCT 27 PM 4:10
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In re application of:

Karel van den BERG

Appl. No. 09/884,829
U.S. Pat No.: 6,929,252

Filed: June 19, 2001

Issued: August 16, 2005

For: IMPLEMENT FOR
DEMARCATING AN AREA, AS
WELL AS A VEHICLE SUITABLE
FOR BEING USED IN SAID
IMPLEMENT

Confirmation No. 2485

Art Unit: 3679

OCT 30 2008

Examiner: Michael P. Ferguson **OFFICE OF PETITIONS**

Atty. Docket: 04132.0125.000000

TRANSMITTAL RECEIPT

Commissioner for Patents
Washington, D.C. 20231

Sir:

Please indicate receipt of the below identified papers:

1. Check 076599 in the amount of \$4,602.00
2. Authorization to Charge Fees
3. Request for Correction of Entity Status and Petition Under 37 CFR 1.28(c) to

Accept Deficiency in Payment of Fees.

4. Exhibit A

Revocation of Power of Attorney with New Power of Attorney

Statement under 37 CFR 3.73(b)

5. Exhibit B

Request for Correction of Entity Status – Itemization of Deficiency Payment

Date: October 24, 2008

HOWREY LLP
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2402
(202) 783-0800

10/28/2008 DALLEN 00000034 09884829
01 FC:1461 4472.00 OP
02 FC:1464 130.00 OP
Adjustment date: 12/10/2008 CKHLOK
10/28/2008 DALLEN 00000034 09884829
02 FC:1464 -130.00 OP

Repin. Ref: 12/10/2008 CKHLOK 0011112100
DAB:083038 Name/Number:09884829
FC: 9284 \$130.00 CR



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Karel van den BERG

Appl. No. 09/884,829
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Examiner: Michael P. Ferguson

Atty. Docket: 04132.0125.000000

OCT 30 2008

OFFICE OF PETITIONS

AUTHORIZATION TO CHARGE FEES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency or credit any overpayment in conjunction with the contemporaneously filed Request for Correction of Entity Status, including any petition fees, to Deposit Account No. 08-3038 referencing Docket No. 04132.0125.000000. If extensions of time under 37 C.F.R. § 1.136 are required to prevent expiration/abandonment of the present patent/application, then such extensions of time are hereby petitioned, and any fees therefore are hereby authorized to be charged to Deposit Account No. 08-3038 referencing Docket no. 04132.0125.000000.

Respectfully submitted,

Michael J. Bell (Reg. No. 39,604)

Attorney of Record

Pursuant to the Power of Attorney filed contemporaneously



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Karel van den BERG

Appl. No. 09/884,829
U.S. Patent No.: 6,929,252

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Examiner: Michael P. Ferguson

Atty. Docket: 04132.0125.000000

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OFFICE OF PETITIONS

REQUEST FOR CORRECTION OF ENTITY STATUS AND PETITION UNDER 37 CFR §1.28(C) TO ACCEPT DEFICIENCY IN PAYMENT OF FEES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper and petition is submitted to correct the entity status for the above-referenced patent and its corresponding application and to petition the Office to accept the deficiency in payment of fees corrected hereby, pursuant to 37 C.F.R. §§1.27 and 1.28.

The Assignee of Record recently became aware that its US patent counsel had continued to improperly claim small entity status subsequent to the assignee's loss of this entitlement on January 1, 1994. Thus, all fees paid in this application from January 1, 1994 to present must be adjusted to the full and correct value.

Assignee requests that the Office correct the entity status of the patent and the corresponding application. Assignee further requests that the Office accept and process the deficiency payment submitted herewith in accordance with 37 CFR 1.28(C). The requirements pertaining to calculation of the deficiency owed and itemization of the deficiency payment in accordance with 37 CFR 1.28(C)(2) can be found in Exhibit B.

Submitted herewith as Exhibit A is a Revocation of Power of Attorney and New Power of Attorney and Change of Correspondence Address, together with a Statement Under 37 C.F.R. §3.73(b), signed by the agent authorized to act on behalf of the Assignee.

Also submitted herewith as Exhibit B is an itemized listing of all fees paid, after January 1, 1994, during prosecution of this application, as Issue Fee payment, as Maintenance Fees, and as any other fees paid. All applicable surcharges are also included therein. This list is believed to be a comprehensive listing of all applicable fees and corresponding deficiencies. The correct fee amounts are calculated for the present date. The total deficiency is calculated at the bottom of the table and a \$130 petition fee in accordance with 37 CFR 1.28(C)(3) and 1.17(i) is added thereto. Payment for the total amount is attached hereto in the form of a check made out to the Commissioner, United States Patent Office.

Respectfully submitted,



Maurice Corten
Authorized Agent for Lely Enterprises A.G.

EXHIBIT A

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OFFICE OF PETITIONS

OCT 24 2008



PTO/SB/80 (01-06)
Approved for use through 12/31/2008, OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

Practitioners associated with the Customer Number:

32894

OR

Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number		Name	Registration Number
Kamand Cuneo	60,427			

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:



The address associated with Customer Number:

32894

OR

<input type="checkbox"/> Firm or Individual Name			
Address			
City		State	Zip
Country			
Telephone	Email		

Assignee Name and Address:

LELY ENTERPRISES A.G.
20 Butzenweg
CH-6300 Zug, SWITZERLAND

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date
Name	Maurice Gorten	Telephone 011.31.10.59.96.333
Title	Authorized Agent for Lely Enterprises A.G.	

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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PTO/SB/96 (01-08)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

OFFICE OF PETITIONS



After the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Karel van den BERG

Application No./Patent No.: 09/884,829 / 6,929,252 Filed/Issue Date: 06/19/2001 / 08/16/2005

Entitled: **IMPLEMENT FOR DEMARCATING AN AREA, AS WELL AS A VEHICLE SUITABLE FOR BEING USED IN SAID IMPLEMENT**

LELY ENTERPRISES A.G., a Limited Liability Company
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

A An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 013740, Frame 0904, or for which a copy thereof is attached.

OR

B A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Date

Maurice Corten

31.10.59.96.333

Printed or Typed Name

Telephone Number

Authorized Agent for Lely Enterprises A.G.

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

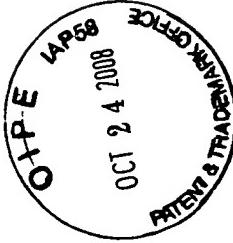
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EXHIBIT B

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OFFICE OF PETITIONS



REQUEST FOR CORRECTION OF ENTITY STATUS
Itemization of the Deficiency Payment

Application No.	Patent No.	Type of fee Paid as Small Entity	Payment Date of Small entity Fee	Small Entity Fee Actu ally Paid	Current Fee Amount for Non-Small Entity	Surcharge Fee	Deficiency Amount Owed
09/884,829	6,929,252	Filing Fee	Jun. 22, 2001	\$355	\$850		\$495
		Claims fee (8 dep.)	Jun. 22, 2001	\$72	\$416		\$344
		Recordal Fee	Jun. 22, 2001	\$40	\$40		0
		Extension of Time (1 mo)	Aug. 8, 2002	\$55	\$130		\$75
		Extension of Time (3 mo)	Mar. 3, 2003	\$465	\$1,110		\$645
		Additional Claims (1 dep.)	Mar. 31, 2003	\$9	\$52		\$43
		Notice of Appeal	Sep. 22, 2003	\$160	\$540		\$380
		RCE Request	Feb. 19, 2004	\$385	\$810		\$425
		Extension of Time (3 mo)	Feb. 19, 2004	\$475	\$1,110		\$635
		Extension of Time (3 mo)	Oct. 12, 2004	\$490	\$1,110		\$620
		Issue Fee	Apr. 19, 2005	\$700	\$1,510		\$810
		Publication Fee	Apr. 19, 2005	\$300	\$300	0	0
Total Deficiency Payment Owed						\$4,472	
Petition Fee for Petition under 37 CFR 1.28(c)						\$130	
TOTAL PAYMENT						\$4,602	

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: <u>12/09/08</u>		2 Serial/Patent # <u>09/884,829</u>		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
<input type="checkbox"/>	Filing			\$
<input type="checkbox"/>	Amendment			\$
<input type="checkbox"/>	Extension of Time			\$
<input type="checkbox"/>	Notice of Appeal/Appeal			\$
<input checked="" type="checkbox"/>	Petition		<u>10/24/08</u>	\$ 130.00
<input type="checkbox"/>	Issue			\$
<input type="checkbox"/>	Cert of Correction/Terminal Disc.			\$
<input type="checkbox"/>	Maintenance			\$
<input type="checkbox"/>	Assignment			\$
<input type="checkbox"/>	Other			\$
		7 TOTAL AMOUNT OF REFUND	\$ <u>130.00</u>	
8 TO BE REFUNDED BY:				
10 REASON:		Treasury Check		
<input checked="" type="checkbox"/>	Overpayment	<input checked="" type="checkbox"/>	Credit Deposit A/C #:	
<input type="checkbox"/>	Duplicate Payment		<u>9 0 8 -- 3 0 3 8</u>	
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME: <u>Cheryl Gibson-Baylor</u>		TITLE: <u>Paralegal</u>		
SIGNATURE: <u>Cheryl Gibson-Baylor</u>		PHONE: <u>571-272-3213</u>		
OFFICE: <u>Office of Petitions</u>				
***** THIS SPACE RESERVED FOR FINANCE USE ONLY *****				
APPROVED: <u>CKB</u>		DATE: <u>12/10/08</u>		

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

**Office of Finance
Refund Branch
Crystal Park One, Room 802B**